

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Mervin John ROSE et al. Confirmation No.: 7787  
Application No.: 10/773,696 Group Art Unit: 2813  
Filing Date: February 6, 2004 Examiner: Laura M. Schilling  
For: FIELD EMISSION BACKPLATE Attorney Docket No.: 85170-5100

**Renewed Petition under 37 CFR 1.137(b)**

**Mail Stop: PETITIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Decision on Petition dated September 29, 2008, Applicants respectfully submit herewith a certificate under 37CFR § 3.73(b) in further support of the Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) in connection with the above-identified application, which was submitted on May 7, 2008.

No fee is believed to be due for this submission. Should any fees be due, please charge such fees to Winston & Strawn LLP Deposit Account No. 50-1814.

Respectfully submitted,

Date: 11/12/08

  
Allan A. Fanucci (Reg. No. 30,256)

**WINSTON & STRAWN LLP**  
CUSTOMER NO. 28765  
(212) 294-3311

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: MERVYN JOHN ROSE, RAVI SILVA AND JOHN SHANNON

Application No./Patent No.: 10/773,696 Filed/Issue Date: February 6, 2004

Entitled: FIELD EMISSION BACKPLATE

THE UNIVERSITY OF DUNDEE, a UNIVERSITY

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014681, Frame 0227, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below.

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
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3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

4/11/08  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone number

James Houston

Typed or printed name

James Houston  
\_\_\_\_\_  
Signature

Director, Research &

Innovation Services

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2



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\*700088525A\*

JUNE 03, 2004

PTAS

WINSTON & STRAWN LLP  
ALLAN A. FANUCCI  
1400 L STREET, N.W.  
WASHINGTON, D.C. 20005-3502

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/01/2004

REEL/FRAME: 014681/0227

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 85170-5100

ASSIGNOR:

ROSE, MERVYN JOHN

DOC DATE: 03/31/2004

ASSIGNOR:

SILVA, RAVI

DOC DATE: 04/04/2004

ASSIGNOR:

SHANNON, JOHN

DOC DATE: 04/04/2004

ASSIGNEE:

UNIVERSITY COURT OF THE UNIVERSITY  
OF DUNDEE, THE  
NETHERGAE, PERTH ROAD  
DUNDEE DD1 4HN, GREAT BRITAIN

014681/0227 PAGE 2

SERIAL NUMBER: 10773696

FILING DATE: 02/06/2004

PATENT NUMBER:

ISSUE DATE:

TITLE: FIELD EMISSION BACKPLATE

SHARON BROOKS, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

700088525

Via Facsimile 703-306-5995

RECORDATION FORM COVER SHEET  
PATENTS ONLY

Attorney Docket Number: 85170-5100

## TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS

Box Assignments

P.O. Box 1450

Alexandria, Virginia 22313-1450

Please record the attached original documents or copy thereof.

## 1. Name of conveying party:

Mervyn John ROSE (executed 03/31/04)

Ravi SILVA (executed 04/04/04)

John SHANNON (executed 04/04/04)

Additional names attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other:

## 2. Name and address of receiving parties:

THE UNIVERSITY COURT OF THE  
UNIVERSITY OF DUNDEE

Nethergate, Perth Road

Dundee DD1 4HN

Great Britain

## 4. Application numbers or patent numbers: 10/773,696 filed February 6, 2004

If this document is being filed with a new application, the execution date of the application is: \_

## A. Patent Application No.

Additional numbers attached? ☐ Yes ☒ No

## B. Patent No.

## 5. Mail correspondence to:

WINSTON & STRAWN LLP  
CUSTOMER NO. 28765

## 6. Number of applications

and patents involved: ..... 1

7. Total fee (37 CFR 3.41): ..... \$ 40.00

Please charge deposit account listed in Section 8.

8. Deposit account number: ..... 50-1814

## DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document*

Allen A. Fanucci, Reg. No. 30,256

Name of Person Signing



Signature

Date

6/1/04

Total number of pages including cover sheet:

4

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents &amp; Trademarks, Box Assignments

P.O. Box 1450, Alexandria, Virginia 22313-1450

50956/101 501814 107/3695

## ASSIGNMENT

WHEREAS, each of,

**Mervyn John ROSE**, a citizen of Great Britain, residing at ,  
Old School House, Kettins, Blairgowrie, Perthshire PH13 9JL,  
Great Britain;

**Ravi SILVA**, a citizen of Great Britain, residing at,  
29 Verran Road, Camberley GU15 2ND, Great Britain; and

**John SHANNON**, a citizen of Great Britain, residing at,  
18 Whyteleafe Hill, Whyteleafe, Surrey CR3 0AA, Great Britain.

ASSIGNOR, is an inventor of the invention in **FIELD EMISSION BACKPLATE**, for  
which a United States patent application is identified by Winston & Strawn  
Docket No. **85170-5100** and

- ☒ is being filed concurrently with the recordation of this Assignment.  
☐ was filed on \_\_\_\_\_ as Application No. \_\_\_\_\_

WHEREAS, **THE UNIVERSITY COURT OF THE UNIVERSITY OF DUNDEE**, a  
having a place of business at Nethergate, Perth Road, Dundee DD1 4HN, United Kingdom,  
ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said  
invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to each  
inventor in hand paid, and other good and valuable consideration, the receipt of which is  
hereby acknowledged, each ASSIGNOR has sold, assigned, transferred and set over, and by  
these presents does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its  
successors, legal representatives and assigns, his or her entire right, title and interest in, to  
and under the said invention, and the said United States application and all divisions,  
renewals and continuations thereof, and all Patents of the United States which may be granted  
thereon and all reissues and extensions thereof;

And each ASSIGNOR hereby authorizes and requests the Commissioner of Patents  
and Trademarks of the United States, to issue the same to the said ASSIGNEE, its successors,  
legal representatives and assigns, in accordance with the terms of this instrument;

And each ASSIGNOR hereby covenants and agrees that he or she has the full right to  
convey the entire interest herein assigned, and that he or she has not executed, and will not  
execute, any agreement in conflict herewith;

And each ASSIGNOR hereby further covenants and agrees that he or she will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to him or her respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention;

And each ASSIGNOR hereby authorizes the Assignee's patent attorney to complete this form by the addition of the application number, application filing date, and attorney docket number, if necessary.

In witness whereof, each inventor has affixed his or her signature.

Date 31st March, 2004 [Signature] **Mervyn, John ROSE**

On 31st March, 2004, before me, Roy Clarke,  
Witness, appeared **Mervyn John ROSE**, to me known and known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

[Signature]  
Witness

Date 4th April, 2004 [Signature] **Ravi SILVA**

On 4th April, 2004, before me, DAVID CAREY,  
Witness, appeared **Ravi SILVA**, to me known and known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

[Signature]  
Witness